

**IN THE UNITED STATES COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

ANNE ELKIND and SHARON ROSEN, on behalf  
of themselves and all others similarly situated,

Plaintiffs,

v.

REVLON CONSUMER PRODUCTS  
CORPORATION,

Defendant.

Case No. 2:14-cv-02484-JS-AKT

Magistrate Judge: Hon. A. Kathleen Tomlinson

**DECLARATION OF JACK FITZGERALD  
IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF  
CLASS ACTION SETTLEMENT**

I, Jack Fitzgerald, declare as follows:

1. I am counsel of record for plaintiffs and the putative class in this action. I am a member in good standing of the state Bars of California and New York; and of the United States District Courts for the Northern, Eastern, Central, and Southern Districts of California, the Southern and Eastern Districts of New York, and the Western District of Wisconsin; and of the United States Court of Appeals for the Ninth Circuit. I make this Declaration based on my own personal knowledge in support of the motion for preliminary approval. I make this Declaration based on personal knowledge and if called to testify, I could and would competently testify to the matters contained herein.

2. During the course of document review in this case, Plaintiffs' retained financial expert estimated the amount of additional revenue Revlon generated from advertising the Products in this case with the "DNA Advantage" marketing was 7%, or approximately \$1.00 for a \$15.00 purchase.

3. The Law Office of Jack Fitzgerald, PC was formed in April 2013 and dedicates its practice almost entirely to prosecuting class action lawsuits. The firm's current resume is attached hereto as Exhibit A, providing biographies of each of the firm's attorneys.

4. Based on my familiarity with this case, including from reviewing discovery and speaking to various experts, I believe the proposed settlement is not only fair, reasonable, and adequate, but an excellent result for the class.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this 7th day of July 2017 in San Diego County, California.

/s/ Jack Fitzgerald

JACK FITZGERALD